

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of Roy et al.)
) Art Unit: 1794
)
 Serial Number 10/799,397) Examiner: Stulii, Vera
)
 Filed March 12, 2004) Atty Docket: 6357US

For: Dry Mix Compositions and Method for Making and Utilizing the Same Having an Enhanced Anti-Microbial Shelf Life

**NOTICE OF APPEAL FROM THE EXAMINER TO
THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the Examiner dated November 28, 2008 rejecting the following claims: 1, 6-19, 23-45 and 57-62.

The fee for this Notice of Appeal is: \$540.00

If one of the boxes below has been checked, then this paper also constitutes a Petition for an Extension of Time under 37 C.F.R. 1.136(a) to reply to the rejection:

Extension of time requested for:

<input type="checkbox"/>	1 Month (37 CFR 1.17(a)(1))	\$
<input type="checkbox"/>	2 Months (37 CFR 1.17(a)(2))	\$
<input type="checkbox"/>	3 Months (37 CFR 1.17(a)(3))	\$
<input type="checkbox"/>	4 Months (if available) (37 CFR 1.17(a)(4))	\$

The sum of the fee for the Notice of Appeal
and the fee for any extension of time is \$540.00

Applicant is a small entity under 37 CFR 1.9 and 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: \$

The Commissioner has already been authorized to charge fees in this application to a Deposit Account.

The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 04-1075

Respectfully submitted,

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Date: February 27, 2009